

Remarks

Claims 1-20 remain in the case. All but claim 5 have been withdrawn. Claim 5 was acted upon in the aforementioned Office Action. No new claim has been added and no claim has been canceled, leaving claim 5 for further consideration.

Claim 5 stands rejected under 35 USC 102 as anticipated by Adams (USP 5,456,685) and by Sugiyama et al. (USP 4,994,032).

Claim 5 has been amended to make clear that the device claimed is a "rotate-to-advance" dilator. Both the Adams and Sugiyama devices are structured to be advanced in the traditional manner, pushed along a guide wire. The Adams balloon can be rotated, but only to align a side branch perfusion region with a desired branch (col. 6, bottom). There is no suggestion in either reference of screw-type movement.

Claim 5 is limited to the dilator having a tapered bulb and a helical thread disposed on an outer surface of the bulb. Both references have tapered balloons, constituting bulbs. Sugiyama lacks a helical thread on the outer surface of the bulb (3). Adams has a "wrap" (70) which may be formed of strands (72) secured to the bulb outer surface. The strands may be spiral wrapped around the bulb. Alternatively, the wrap may be a sleeve (col. 6, lines 8-10). There does not appear to be any suggestion

that the strands are threads. The strands appear to be intended to maintain the bulb shape (col. 5, lines 49 + 50) and are flexible and collapse with the bulb, further indicating that the wrap is not a thread structure, that is, not a structure adapted for threaded engagement with a receiving surface.

Claim 5 is further limited to the threads extending over tapered end portions of the bulb. Both references lack threads extending over tapered end portions of their bulbs.

Further, the threads are said in claim 5 to adapt the bulb for rotational advancement and retraction. As noted above, both references lack the rotational advancement and retraction feature.

Claim 5 is still further limited to ends of the threads being tapered. The strands of Adams appear not to be tapered. Inasmuch as the strands of Adams are not "threads" and do not serve the purpose of advancing and retracting the bulb, there is no need for them to be tapered.

Finally, claim 5 is limited to a particular arrangement of thread height, outside diameter of the shaft portions of the dilator, and the thread pitch relative to the circumference of the threads. There appears to be no mention in the references as to these specifically claimed parameters. It is believed that

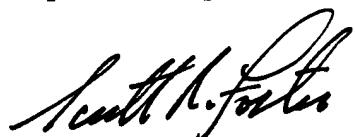
merely illustrative drawings should not be relied upon for showing such parameters. In Applicant's specification and drawings, three parameters are clearly set forth and well defined in specificity.

In summary, it is believed that several limitations in amended claim 5 stand well clear of that which is shown or suggested in the references and that claim 5 should be deemed allowable thereover. Accordingly, allowance thereof is most respectfully requested.

In the event that any additional fees may be required to be paid in connection with this matter, please charge the same, or credit any overpayment, to Deposit Account No. 16-0221.

Thank you.

Respectfully submitted,



Scott R. Foster

Registration No. 20,570

Pandiscio & Pandiscio

470 Totten Pond Road

Waltham, MA 02451-1914

Tel. (781) 290-0060

EC/FA63CIPCON2.AMD

FA-63 CIP CON 2